

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARC EDWARD BOWMAN

Plaintiff, No. CIV S-04-0986 DFL CMK PS

vs.

JO ANNE B. BARNHART, commissioner of  
social security,

Defendant.

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ORDER

On June 22, 2005, plaintiff, who is proceeding pro se in this social security appeal, filed a motion titled “Constructive Notice; Request for Leniency Re: Time to Conduct Depositions; Request for Extension of Time.” Plaintiff states that he is not well enough to move forward with his case and intends to depose “certain witnesses” at a later date. Defendant has filed objections to plaintiff’s motion.

Currently pending before the court are the parties’ cross motions for summary judgment. Pursuant to 42 U.S.C. § 405(g), the record in this action is limited to the certified transcript of administrative proceedings and additional evidence that is new and material and good cause exists for it not being previously included in the record. Plaintiff has already had an opportunity to submit additional evidence to the court. This matter is now fully briefed and there

1 is no statutory authority that would permit plaintiff to pursue any further discovery, such as  
2 depositions, in this action.

3 Accordingly, IT IS ORDERED THAT plaintiff's June 22, 2005 motion is  
4 DENIED.

5 DATED: August 22, 2005.

6   
7 CRAIG M. KELLISON  
8 UNITED STATES MAGISTRATE JUDGE

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